

FIRST REGULAR SESSION

HOUSE BILL NO. 189

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MUNTZEL (Sponsor), JONES (50), LOVE, REMOLE, MILLER,
DOHRMAN, KOLKMEYER, COX, ROWDEN, NEELY AND BERRY (Co-sponsors).

0293H.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 115, RSMo, by adding thereto one new section relating to primary election results.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 115, RSMo, is amended by adding thereto one new section, to be
2 known as section 115.131, to read as follows:

115.131. 1. **Notwithstanding the provisions of section 115.515 or any other**
2 **provision to the contrary, in the event there is a tie vote between two candidates in a**
3 **primary election for a county office, each candidate who failed to win the election as a**
4 **result of the tie shall be permitted to place his or her name on the ballot at the general**
5 **election. However, his or her name shall appear on the ballot with no political party**
6 **designation.**

7 2. **If any candidate eligible to place his or her name on the ballot at the general**
8 **election under subsection 1 of this section declines to do so, the remaining candidate shall**
9 **be declared to have won the primary election and may appear on the general election ballot**
10 **as the candidate for the political party in which the primary was held.**

11 3. **No votes for a write-in candidate shall be allowed at a general election held in**
12 **accordance with subsection 1 of this section unless only one candidate's name is on the**
13 **ballot, in which case that candidate is to be designated as a candidate for the political party**
14 **in which he or she ran in the primary and write-in candidate votes shall be allowed.**

15 4. **The provisions of this section shall apply only in the case of an uncontested**
16 **general election in which the candidates who tie during a political party primary are the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 only candidates eligible to run for the county office because that all other political party
18 or independent candidates have not met the requisite filing requirements to run for such
19 office.

20 5. If a general election is contested as a result of this section, any tie vote in a
21 political party primary shall be resolved under section 115.515 prior to the general election.

✓